

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ROSIE L. HALL,

Plaintiff,

CIV. S-04-0376 LKK PAN PS

v.

U.S. BANKRUPTCY COURT, U.S.  
BANKRUPTCY APPELLATE PANEL,  
JUDGE RUSSELL DAVIS, U.S.  
TRUSTEE, JUDITH HOTZE, HELGA  
A. WHITE, and ROBERT WEGNER,

ORDER

Defendants.

—oOo—

In separate Findings and Recommendations, this court recommends that plaintiff claims against the federal defendants be dismissed and that defendant Robert Wenger (sued as Robert Wegner) be permitted additional time within which to renew his motion to dismiss. The only remaining defendant, Helga A. White, has not appeared (except as attorney for Wenger).

An order filed February 23, 2004, required plaintiff to

1 serve process upon all defendants within 120 days, or by June 22,  
2 2004. On May 28, 2004, plaintiff filed a document entitled  
3 "proof of service" (stating that she mailed a copy of the  
4 complaint to Helga A. White on May 21, 2004) which does not  
5 demonstrate proper service of process upon White pursuant to  
6 Fed.R.Civ.P 4(c) and (e).

7 Within 20 days of service of this order, plaintiff shall  
8 show cause in writing why her claims against Ms. White should not  
9 be dismissed for violating the court's February 23, 2004, order  
10 and Rule 4.

11 So ordered.

12 Dated: April 18, 2005.

13 /s/ Peter A. Nowinski

14 PETER A. NOWINSKI

15 Magistrate Judge  
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